



UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant Serial No.: 09/598,982

Attorney Docket No.: 34506.104

Filing Date: June 21, 2000

Group Art Unit: 1652

Applicants: MAFFITT et al.

Examiner: Ramirez

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Title: **RECOMBINANT PROTEOLYTIC TRYPTASES, ACTIVE SITE MUTANTS THEREOF, AND METHODS OF MAKING SAME**

#8
M.G.J
3/13/02

RESTRICTION REQUIREMENT RESPONSE

BOX: FEE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Responsive to the Restriction Requirement dated September 21, 2001, the time period for response thereto being set to expire December 21, 2001, by virtue of the Petition for Two-Month Extension of Time and fee filed herewith, Applicants provisionally elect, with traverse, Group I, claims 1-25, 34-37, 41-45, and 54-58.

REMARKS

Restriction is proper only if the restricted claims are independent or patentably distinct and there is no serious burden placed on the Examiner if restriction is not required (MPEP § 803). The burden is on the Examiner to provide reasons and/or examples to support any conclusion of patentable distinctness between the restricted claims (MPEP § 803). Applicants respectfully traverse the restriction requirement on the grounds that the Office has not carried the burden of providing any reasons and/or examples to support the conclusion that the claims of the restricted groups are, in fact, distinct.

With respect to Groups I, II, and III, the Office has taken the position that each group comprises a chemically unrelated structure, each structure capable of separate manufacture, use, and effect. The Examiner goes on to state that the DNA recited in the claims of Group